

REMARKS

In the Office Action the Examiner noted that claims 1-13 were pending in the application. The Examiner rejected claims 1-3, 7 and 11-13 while objecting to claims 4-6 and 8-10. By this Amendment, various claims have been amended, claim 8 has been cancelled and claim 14 has been added. Thus, claims 1-7 and 9-14 remain pending in the application. The examiner's rejections are traversed below.

Objection

In item 3 on pages 4 and 5 of the Office Action, the Examiner objected to claims 4-6 and 8-10 for being dependent upon a rejected base claim but indicated that these claims would be allowable if rewritten in independent form. By this Amendment, claim 8 has been rewritten in independent form as amended claim 1 (with certain additional amendments having been made to improve its form without narrowing the claim). Therefore, it is submitted that claim 1 and the claims depending there from (claims 2-7, 9 and 10) should all be in condition for allowance.

Rejection of Claims 11-13

In item 2 on pages 2-4 of the Office Action the Examiner rejected claims 11-13 under 35 U.S.C. § 102(e) as anticipated by U.S. Patent 6,208,720 to Curtis et al.

By this Amendment, claims 11 and 12 have been amended to include subject matter similar to that found in prior claim 8. Specifically, claim 11 has been amended to recite:

said specific user dealing unit extracting a user who has paid charges as a good specific user from said user information, and posting said cellular phase of said good specific user by mail on the provision of an incentive.

Therefore, it is submitted that claim 11 patentably distinguishes over the prior art.

Claim 12 has been amended to recite:

said dealing comprising extracting a user who has paid charges as a good specific user from said user information and posting said cellular phone of said good specific user by mail on the provision of an incentive.

Therefore, it is submitted that claim 12 patentably distinguishes over the prior art.

Referring to claim 13, this claim is directed to a cellular phone apparatus which includes a judging unit which judges whether a received electronic mail designates a restriction on a certain function of a cellular phone. A restriction unit imposes a restriction on the designated certain function of the cellular phone where the judging unit judges that the electronic mail designates a restriction.

Applicants have reviewed the Curtis et al. reference, and particularly the portions identified by the Examiner on page 4 of the Office Action. However, it is submitted that Curtis does not teach or suggest the claimed features of claim 13 specifying the use of electronic mail to designate a restriction while instituting a restriction based on receipt of electronic mail designating the restriction. Therefore, it is submitted that claim 13 patentably distinguishes over the prior art.

New Claim 14

New claim 14 recites:

- providing cellular phone user information;
- identifying a user meeting predetermined conditions based on the cellular phone user information;
- providing the identified user with an incentive electronically via the cellular phone.

Therefore, it is submitted that claim 14 patentably distinguishes over the prior art.

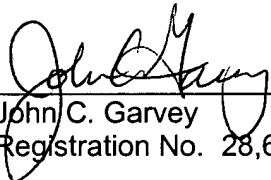
Summary

It is submitted that none of the references, either taken alone or in combination either teach the present claimed invention. Thus, claims 1-7 and 9-14 are deemed to be in a condition suitable for allowance. Reconsideration of the claims and an early notice of allowance are earnestly solicited.

Respectfully submitted,

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